

REMARKS

Applicant respectfully requests reconsideration of this application.

Claims 1-22 are pending in this application.

No claims have been cancelled.

No claims have been added.

No claims have been amended.

Claims 9-12 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 3,346,032 issued to Gulistan (hereinafter referred to as "Gulistan").

Claims 1-2, 4-8, 13, 15-18 and 20-22 were rejected under 35 U.S.C. §103(a) as being considered unpatentable over Gulistan in view of U.S. Patent No. 5,785,449 issued to DiBene (hereinafter referred to as "DiBene").

Claims 3, 14 and 19 were rejected under 35 U.S.C. §103(a) as being considered unpatentable variously over Gulistan, alone, or Gulistan in view of DiBene as applied to claims 1, 9, 13 and 17-18, and further in view of U.S. Patent No. 5,743,692 issued to Schwarz (hereinafter referred to as "Schwarz").

35 U.S.C. §102(b) Rejection of Claims 9-12

The Examiner has rejected claims 9-12 under 35 U.S.C. §102(b) as being considered to be anticipated by Gulistan. Applicant respectfully submits that claims 9-12 are not anticipated by Gulistan, because Gulistan does not teach each and every element of Applicant's invention as claimed.

Regarding at least claim 9, Applicant respectfully submits that Gulistan does not teach a "soldering extension" as asserted in the Office Action. Gulistan teaches having a reduced diameter portion (18) that protrudes through a workpiece and "is bent outwardly ... forming an upset head" that is received within a counterbore formed in the workpiece (the Examiner's attention is

respectfully drawn to lines 54-60 of column 2 of Gulistan). Although the Office Action asserts that the reduced diameter portion (18) of Gulistan anticipates the soldering extension of Applicant's claimed invention, Applicant respectfully submits that no where within Gulistan is there any mention or discussion of the reduced diameter portion (18) ever being soldered to any other object, nor is there any discussion in Gulistan of any soldering taking place, at all. Therefore, Applicant respectfully asserts that it is not possible for the reduced diameter portion (18) to in any way anticipate the soldering extension of Applicant's claimed invention.

Claims 10-12 depend, directly or indirectly, from independent claim 9, and therefore incorporate all of the limitations of claim 9 which Applicant has asserted are patentably distinguished over Gulistan.

For at least these reasons, Applicant respectfully submits that claims 9-12 are patentably distinguished over Gulistan, and are in condition for allowance.

35 U.S.C. § 103(a) Rejection of Claims 1-2, 4-8, 13, 15-18 and 20-22

The Examiner has rejected claims 1-2, 4-8, 13, 15-18 and 20-22 under 35 U.S.C. § 103(a) as being considered to be unpatentable over Gulistan in view of DiBene.

Applicant respectfully submits that claims 13 and 15-16 depend, directly or indirectly, from independent claim 9, and therefore, incorporate all of the limitations of claim 9, which Applicant has asserted is patentably distinguished over Gulistan.

Also, to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). (MPEP 2143.03). Applicant respectfully submits that, as discussed above, Gulistan does not teach or suggest all the

features of Applicant's invention as claimed. Specifically, as discussed above, and as also acknowledged in the Office Action regarding this rejection, Gulistan does not teach or suggest any soldering of an apparatus to a PCB. Applicant also respectfully submits that DiBene also does not teach or suggest the soldering of any apparatus to a PCB. The reference within the Office Action to line 54 of column 6 of DiBene concerning soldering describes the possibility of soldering a portion of the jackscrew of DiBene to a "front panel" (12) that is, itself, separately attached to a PCB. There is no mention of how the front panel (12) is attached to the PCB in DiBene, but it is clear that the front panel (12) is something separate from the PCB. Applicant has determined that Figure 3 of DiBene contains an error which may lead to a perception that the jackscrew of DiBene is attached to a PCB, which is erroneous and may contribute to a misunderstanding of DiBene, because a reading of DiBene reveals that there is no teaching or suggestion in DiBene of attaching the jackscrew of DiBene to a PCB. Specifically, an errant identifier "14" that is associated in the text of DiBene to a PCB is shown as errantly pointing to the front panel, i.e., there should be a "12" in Figure 3 of DiBene where there is currently a "14" as an identifier. Therefore, since neither Gulistan or DiBene teaches or suggests the soldering of any form of captive screw or any other such apparatus to a PCB, there can be no combination of Gulistan and DiBene that teaches this limitation.

For at least these reasons, Applicant respectfully submits that claims 1-2, 4-8, 13, 15-18 and 20-22 are patentably distinguished over any combination of Gulistan and DiBene, and are in condition for allowance.

35 U.S.C. § 103(a) Rejection of Claims 3, 14 and 19

The Examiner has rejected claims 3, 14 and 19 under 35 U.S.C. § 103(a) as being considered to be unpatentable over Gulistan, alone, or Gulistan in view of

DiBene as applied to claims 1, 9, 13 and 17-18 (as discussed above), and further in view of Schwarz.

Applicant respectfully submits that claim 14 depends indirectly from independent claim 9, and therefore, incorporates all of the limitations of claim 9, which Applicant has asserted is patentably distinguished over Gulistan. Also, Applicant respectfully submits that claims 3 and 19 depend, directly or indirectly, from independent claims 1 and 17, respectively, and therefore, incorporate all of the limitations of claims 1 and 17, which Applicant has asserted are patentably distinguished over any combination of Gulistan and DiBene.

Also, to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). (MPEP 2143.03). Applicant respectfully submits that, as discussed above, neither Gulistan nor DiBene teach or suggest all the features of Applicant's invention as claimed. Specifically, as discussed at length above, neither Gulistan nor DiBene teach or suggest any soldering of any apparatus, including any form of captive screw, to a PCB. Applicant also respectfully submits that Schwarz also does not teach or suggest the soldering of any apparatus to a PCB. The Office Action refers to a flange (46) in Schwarz and asserts that this flange (46) is "for soldering." However, Applicant respectfully submits that this assertion is in error. A reading of Schwarz reveals that flange (46) of Schwarz is a portion of the captive bolt assembly of Schwarz that is welded (not soldered) to another portion of the same captive bolt assembly. There is no mention or discussion within Schwarz of any soldering of any kind, including any part of the captive bolt assembly of Schwarz to a PCB, and Applicant respectfully submits that welding is different from soldering. Therefore, since none of Gulistan, DiBene or Schwarz teach or suggest the soldering of any form of captive screw or any other such apparatus to a PCB,

there can be no combination of Gulistan, DiBene and/or Schwarz that teaches this limitation.

For at least these reasons, Applicant respectfully submits that claims 3, 14 and 19 are patentably distinguished over any combination of Gulistan, DiBene and/or Schwarz, and are in condition for allowance.

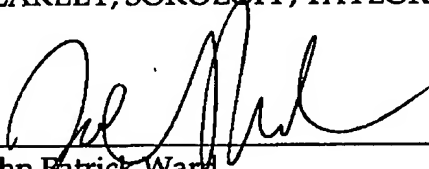
Condition for Allowance

Applicant submits that all rejections and objections have been overcome and the present application is now in condition for allowance. If there are any charges or shortages related to the present communication, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: December 17, 2003

  
\_\_\_\_\_  
John Patrick Ward  
Registration No. 40,216

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1030  
408-720-8300